IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit	: 3624	**Customer No. 035811**
Examiner	: James M. Alpert	
Serial No.	: 09/970,600	Docket No.: 1480-R-00
Filed	: October 4, 2001	
Inventor(s)	: William H. Wisecarver, III.	
	: Mary F. Nugent	Confirmation No.: 1951
Title	: SYSTEM AND METHOD FOR	
	: ON-LINE PAYMENT TRANSACTIONS	

Dated: June 22, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Certificate of Mailing Under 37 CFR 1.8

For

Postcard
Response
Declaration of Prior Invention
Exhibit A

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to **Mail Stop Amendment** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Name of Applicant, Assignee, Applicant's Attorney
or Registered Representative:

DLA Piper Rudnick Gray Cary US LLP
Customer No. 035811

By: _____

Date: _____

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

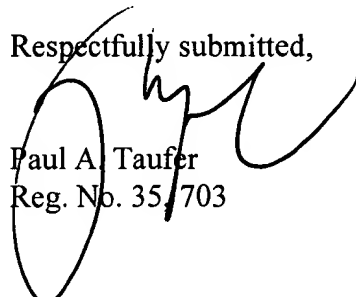|		
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RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Claims 1-7 are currently pending in the present Application. Claims 1-7 stand finally rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 20010034720 to Armes, hereinafter "Armes". In response, the Applicants re-submit herewith a Declaration of Prior Invention under 37 CFR 1.131, together with "Exhibit A", to establish priority of invention over the Armes reference. The earliest possible priority date of the Armes reference is March 7, 2000. The enclosed Declaration sets forth that the claimed subject matter of the present Application was invented prior to March 7, 2000. In view of which, the Applicants respectfully request withdrawal of the present grounds for rejection.

In view of the foregoing remarks and enclosed Declaration, the Applicants respectfully submit that the present Application, including Claims 1-7, is in condition for allowance and respectfully solicit a notice reflecting the same.

Respectfully submitted,

Paul A. Taufer
Reg. No. 35,703

PAT/nn
215-656-3385

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DECLARATION OF PRIOR INVENTION UNDER 37 CFR 1.131

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

     We, WILLIAM H. WISECARVER, III and MARY F. NUGENT, being duly sworn, depose and state:

1.   We are applicants of the above-identified patent application, and the inventors of the subject matter described and claimed therein (the "Subject Matter"). The Subject Matter of at least the independent claims of the above-identified Patent Application had been conceived prior to March 7, 2000, and there was due diligence exercised from the date of conception to the filing date of the present application, as is described in more detail below.

2.   Attached as "Exhibit A" are three pages of documents numbered 1-3 consecutively that relate to the Subject Matter, which we had previously authored prior to March 7, 2000. The three pages of documents contained in Exhibit A are a detailed overview of the Subject Matter.

3.   The Subject Matter claimed in the present application is clearly set forth in Exhibit A. Specifically, **with regard to Claims 1 and 5**, Exhibit A sets forth:

    a) providing/opening a customer account;(Page 2 of Exhibit A, first sentence after the heading *STEP I*)
    b) verifying electronically that the customer has an established credit card account; (Page 2 of Exhibit A, third sentence after the heading *STEP I*)
    c) creating an electronic financial account of limited access; (Page 2 of Exhibit A, fourth sentence after the heading *STEP I*) and
    d) authorizing an amount of credit within the financial account of limited access. (Page 2 of Exhibit A, fifth sentence after the heading *STEP I*).

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With regard to Claims 2 and 6, Exhibit A sets forth:

a) creating an account number and access code; (Page 2 of Exhibit A, last sentence after the heading *STEP 1*) and

b) accessing a merchant via a computer network; (Page 2 of Exhibit A, first sentence after the heading *STEP 2*);

c) performing procedures for on-line purchasing; (Id.)

d) entering the account number; (Page 2 of Exhibit A, second sentence after the heading *STEP 2*);

e) entering the access code; (Page 2 of Exhibit A, third sentence after the heading *STEP 2*)

f) electronically routing the account number and access code; (Page 2 of Exhibit A, fourth sentence after the heading *STEP 2*)

g) confirming the credit amount and access code; (Page 2 of Exhibit A, fifth sentence after the heading *STEP 2*) and

h) routing the dollar amount of the transaction to the credit card issuer. (Page 2 of Exhibit A, sixth sentence after the heading *STEP 2*).

With regard to Claims 3 and 7, Exhibit A sets forth:

a) wiring the amounts of the transaction to the merchant less any discount fee; (Page 2 of Exhibit A, final sentence after the heading *STEP 2*) and

b) debiting the financial account of limited access the amount electronically transferred. (Page 2 of Exhibit A, first sentence after the heading *STEP 3*).

With regard to Claim 4, Exhibit A sets forth:

a) a system comprising a network (100) comprising: (Page 2 of Exhibit A, see the Figure labeled "The SafetyCash Operating System", hereinafter referred to simply as "the Figure")

b) a consumer computer, (Page 2 of Exhibit A, Box 1 in the Figure)

c) a merchant computer, (Page 2 of Exhibit A, Box 3 in the Figure)

d) a credit card bank computer, (Page 2 of Exhibit A, Box 4 in the Figure)

e) a system provider; (Page 2 of Exhibit A, Box 2 in the Figure)

f) the consumer computer in communication with the system provider for opening up an account; (Page 2 of Exhibit A, Item 1 in the Figure)

g) the system provider computer in communication with the credit card bank computer for verifying credit card information; (Page 2 of Exhibit A, Item 2 in the Figure)

h) the consumer computer in communication with the merchant computer for on-line purchasing; (Page 2 of Exhibit A, Item 3 in the Figure) and

i) the system provider computer in communication with the merchant computer for verifying customer information and transaction payment. (Page 2 of Exhibit A, Item 4 in the Figure).

4. In October of 2000, I engaged the law firm of Schnader Harrison to prepare and file a provisional patent application based on the Subject Matter, which was filed on October 13, 2000.
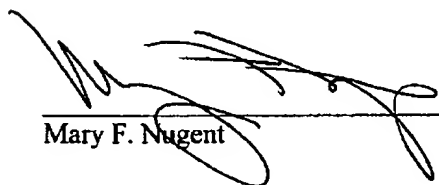
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WWW/

5.   On October 4, 2001, the present application was filed based on the provisional patent application with the United States Patent & Trademark Office.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

_____   _____
William H. Wisecarver, III.   Date

_____   _____
Mary F. Nugent   Date

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TechBank

SafetyCash™

Online Payment Alternative

Technology Application Overview

TechBank, a technology innovator and developer has created a technology application to structure a business process that will allow for immediate market penetration of the online payment process. This financial service application can have a broad range of uses in Internet commerce. The service, called *SafetyCash*, has a plethora of uses in online payment and follow-on e-commerce transactions[1].

Business Model Overview

TechBank proposes the establishment of a strategic partnership with a Bank, credit card issuing entity, or a financial service provider, where by the TechBank technology and management team establishes and manages a subsidiary company for the Bank. The new Company will create an *on-line payment alternative* at lower cost to the merchant and that allows consumers to make purchases in an anonymous and secure environment utilizing their existing credit cards. Additionally the process will lower the cost of consumer's online purchases to the Merchant. The process will increase the credit card issuing entity credit cards account, and induce the consumer to open new deposit accounts with the entity.

TECHBANK TECHNOLOGY APPLICATION

SafetyCash Online Payment System
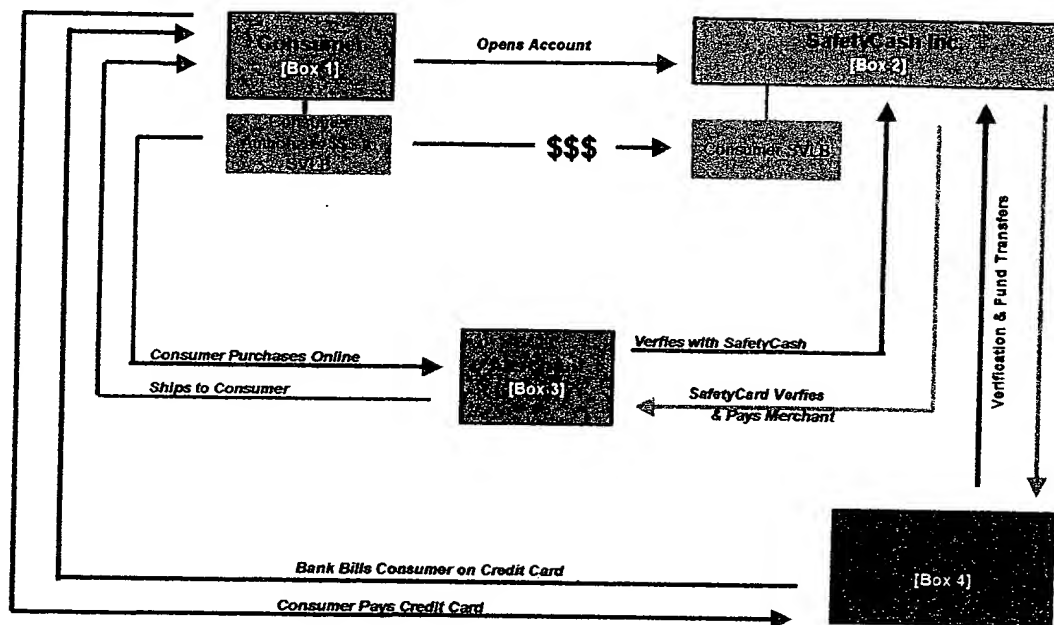
The *SafetyCash* system provides a secure online payment alternative for all e-commerce transactions. Payments by consumers to vendors will be accomplished through *SafetyCash* with the use of an on-line "Stored Value Lock-Box" (SVLB). Consumers will "fill" their *SafetyCash* SVLB by phone, mail or the Internet. *SafetyCash* then electronically contacts the consumer's credit card issuing Bank and receives authorization for the credit amount. Maximum amounts for the SVLB account will be established when consumer opens it. With their account filled, they (consumer) are ready to make purchases on-line.

When the consumer orders on-line from the merchant, they input their SVLB number in lieu of a credit card number, and the merchant electronically contacts the *SafetyCash* website (as it would for a regular credit card number), or direct input into the SafetyCash system through the Internet. *SafetyCash* first verifies the SVLB for the credit amount, and then authorizes and approves the transaction. The System then contacts the credit card issuing Bank, directs funds to the appropriate SafetyCash SVLB and electronically transfers the funds to the merchant less the discount fee. At the same time, *SafetyCash* sends the transaction amount to the credit card Bank who then bills the cardholder on their respective credit card.

Transaction takes place with Merchant receiving only the SLVB number instead of consumer's credit card number. Credit card issuing Bank bills consumer on bank's standard billing procedures with only

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[1] The names *Safety Cash, SafetyCash Central* and *E-SafetyCash* are presently being researched for trademark rights. The names may change as a result of this search or as market branding strategies dictate.

the amount of the transaction charged to *SafetyCash* in lieu of the Merchant. Consumers can make multiple purchases on multiple online purchase sites until credit limit of SLVB is reached. Consumer can then "replenish" the SLVB with a new amount of credit (to the authorized limit as before) or allow the SLVB to become inactive.

The SafetyCash Operating System

How the SafetyCash Operating System Works:

STEP 1: Consumer [Box 1] opens account with *SafetyCash Inc* [Box 2]. The account requires that Consumer have an existing credit card with an established credit card issuer. SafetyCash electronically contacts Consumer's Credit Card Issuer and verifies account information. SafetyCash then creates an electronic Stored Value Lock Box (SVLB) for Consumer. Consumer then authorizes the amount of credit (funds available for use) that the SVLB will "hold" (determined on consumer preference in coordination with their pre-existing credit limit on their card). This process can be completed on-line, in person, or by mail, phone, fax, or email. With the establishment of the SVLB, Consumer is given a SVLB number and an access code to the SVLB and is now ready to make purchases on-line.

STEP 2: Consumer [Box 1] goes to **Merchant's** [Box 3] e-commerce website and conducts shopping and selection in the Merchant's standard operating procedure for on-line purchasing. When the selection is made, Consumer enters the *SafetyCash* SVLB number in place of their credit card number. Consumer enters SVLB access code, in place of credit card expiration date. Merchant [Box-3] electronically routes SafetyCash SVLB number and access code supplied by the Consumer and purchase amount into the system as it would for a standard credit card purchase or through direct Internet contact to *SafetyCash's* [Box 2] secured processing center. On *SafetyCash's* receipt of the purchase information from the Merchant, the indicated SVLB number is checked for authorized credit amount, and verification of access code. With this verification, *SafetyCash* routes the dollar amount of the transaction to Consumer's credit card issuer, and has the amount wired to *SafetyCash*. *SafetyCash* then transfers the "funds" (less the standard discount fee) to the merchant.

STEP 3: Credit Card Bank (Box 4) debits Consumer's existing credit card for the amount electronically transferred to *SafetyCash*. Billing and payment are completed within Credit Card Bank's normal business operation procedures. Consumer pays credit card billing in their usual way.

The *SafetCash* Consumer Experience (Transaction Cycle)

Ms. Joan Q. Public has a Visa credit card from Bank-X with credit limit of $5,000. She decides to open a *SafetyCash* Account.

First, Ms. Public logs on to the SafetyCash website and enters her name and Visa number (this will be the last time she needs to put her credit card number over the Internet) and the amount she wishes to have in the SVLB *(i.e, $500)*. SafetyCash connects to Bank-X and verifies information. SafetyCash then opens a SVLB for Ms. Public and sends via email, the information regarding SVLB use.

Second, Ms. Public then goes to merchant on-line purchase site, selects $200 of merchandise. When Merchant requests credit card number and expiration date, Ms. Public enters SVLB number and access code. Merchants system routes information to *SafetyCash* processing center. *SafetyCash* contacts Bank-X and verifies a $200 charge to Ms. Public's credit card and Bank-X electronically transfers the amount to *SafetyCash*. *SafetyCash* transfers $198 to Merchant ($200 less a 2% discount fee). Merchant ships merchandise on Ms. Public's instructions.

Third: Ms. Public receives Bank-X's Visa statement on billing cycle with a $200 charge from *SafetyCash*. Ms. Public pays Bank-X's statement as per her normal Visa billing habit.

Competitive Advantages of the SafetyCash System

For the Consumer:

1. Consumer has complete anonymity. Merchandise can be shipped to the name and location of choice of the Consumer. The amount of information given to complete the transaction with the Merchant, after the SVLB and the access number is in control of the Consumer. Information on their buying habits and personal information collected by Merchant and credit card issuer is completely controlled by Consumer.

2. Consumer has the choice of a "trail-less" transaction, which can preclude the influx of unwanted on-line advertising and E-mails.

3. Consumer has immediate stop-loss as even if security is broken, they can lose only what is in the SVLB, instead of the entire credit limit of their card.

4. Consumer can set up accounts for individuals (children for example) within their own credit card credit limit without risking the entire authorized credit limit or overdrafts.

For the Merchant:

1. Merchant will have a significant decrease in the cost of conducting transactions on line.

2. Advantages to the Consumers will increase on-line purchases and bring new consumers into the e-commerce market place, allowing Merchant a higher return for their investment in e-commerce.

For the Credit Card Bank:

1. Credit cards remain the mainstay of e-commerce. Issuer will not lose accounts or have to make additional investment in existing infrastructure.

2. Higher use of credit cards as Consumers gain comfort level with e-commerce and purchase more on-line.

3. Allows offering of new services to existing customers at minimum cost.

4. Provides reduced risk access to consumer market demographics outside of current customer profiles.